FEDERAL RULES OF EVIDENCE

The text of the Federal Rules of Evidence enacted into law by Pub. L. 93–595, §1, Jan. 2, 1975, 88 Stat. 1929, is set out in the Appendix to Title 28, Judiciary and Judicial Procedure. Rule 1101(b) of the Rules of Evidence provides that the rules apply generally to civil actions and proceedings, including admiralty and maritime cases, to criminal cases and proceedings, to contempt proceedings except those in which the court may act summarily, and to proceedings and cases under Title 11, Bankruptcy.

FEDERAL RULES OF CRIMINAL PROCEDURE

(As amended to January 3, 2012)

HISTORICAL NOTE

The original Federal Rules of Criminal Procedure were adopted by order of the Supreme Court on Dec. 26, 1944, transmitted to Congress by the Attorney General

on Jan. 3, 1945, and became effective on Mar. 21, 1946. The Rules have been amended Dec. 27, 1948, eff. Jan. 1, 1949; Dec. 27, 1948, eff. Oct. 20, 1949; Apr. 12, 1954, eff. July 1, 1954; Apr. 9, 1956, eff. July 8, 1956; Feb. 28, 1966, eff. July 1, 1966; Dec. 4, 1967, eff. July 1, 1968; Mar. 1, 1971, eff. July 1, 1971; Apr. 24, 1972, eff. Oct. 1, 1972; Nov. 20, 1972, eff. July 1, 1975, pursuant to Pub. L. 93–595; Mar. 18, 1974, eff. July 1, 1974; Apr. 22, 1974, eff. in part Aug. 1, 1975, and Dec. 1, 1975, pursuant to Pub. L. 93-361 and Pub. L. 94-64; Dec. 12, 1975, Pub. L. 94-149, §5, 89 Stat. 806; Apr. 26, 1976, eff. in part Aug. 1, 1976, and Oct. 1, 1977, pursuant to Pub. L. 94-349 and Pub. L. 95-78; Apr. 30, 1979, eff. in part Aug. 1, 1979, and Dec. 1, 1980, pursuant to Pub. L. 96–42; Apr. 28, 1982, eff. Aug. 1, 1982; Oct. 12, 1982, Pub. L. 97–291, §3, 96 Stat. 1249; Apr. 28, 1983, eff. Aug. 1, 1983; Oct. 12, 1984, Pub. L. 98–473, title II, §§ 209, 215, 404, 98 Stat. 1986, 2014, 2067; Oct. 30, 1984, Pub. L. 98-596, §11(a), (b), 98 Stat. 3138; Apr. 29, 1985, eff. Aug. 1, 1985; Oct. 27, 1986, Pub. L. 99-570, title I, §1009(a), 100 Stat. 3207-8; Nov. 10, 1986, Pub. L. 99-646, §§ 12(b), 24, 25(a), 54(a), 100 Stat. 3594, 3597, 3607; Mar. 9, 1987, eff. Aug. 1, 1987; Apr. 25, 1988, eff. Aug. 1, 1988; Nov. 18, 1988, Pub. L. 100-690, title VI, §6483, title VII, §§7076, 7089(c), 102 Stat. 4382, 4406, 4409; Apr. 25, 1989, eff. Dec. 1, 1989; May 1, 1990, eff. Dec. 1, 1990; Apr. 30, 1991, eff. Dec. 1, 1991; Apr. 22, 1993, eff. Dec. 1, 1993; Apr. 29, 1994, eff. Dec. 1, 1994; Sept. 13, 1994, Pub. L. 103-322, title XXIII, §230101(b), title XXXIII, §330003(h), 108 Stat. 2078, 2141; Apr. 27, 1995, eff. Dec. 1, 1995; Apr. 23, 1996, eff. Dec. 1, 1996; Apr. 24, 1996, Pub. L. 104–132, title II, §207(a), 110 Stat. 1236; Apr. 11, 1997, eff. Dec. 1, 1997; Apr. 24, 1998, eff. Dec. 1, 1998; Apr. 26, 1999, eff. Dec. 1, 1999; Apr. 17, 2000, eff. Dec. 1, 2000; Oct. 26, 2001, Pub. L. 107–56, title II, §§ 203(a), 219, 115 Stat. 278, 291; Apr. 29, 2002, eff. Dec. 11, 2002; Nov. 2, 2002, Pub. L. 107–273, div. C, title I, \$11019(b), 116 Stat. 1825; Nov. 25, 2002, Pub. L. 107–296, title VIII, \$895, 116 Stat. 2256; Apr. 30, 2003, Pub. L. 108-21, title VI, \$610(b), 117 Stat. 692; Apr. 26, 2004, eff. Dec. 1, 2004; Pub. L. 108-458, title VI, \$6501(a), Dec. 17, 2004, 110, 051, 2005, Apr. 26, 2005, Apr. 26, 2006, Apr. 26, Apr. 2 2004, 118 Stat. 3760; Apr. 25, 2005, eff. Dec. 1, 2005; Apr. $12,\ 2006,\ eff.\ Dec.\ 1,\ 2006;\ Apr.\ 30,\ 2007,\ eff.\ Dec.\ 1,\ 2007;$ Apr. 23, 2008, eff. Dec. 1, 2008; Mar. 26, 2009, eff. Dec. 1, 2009; Apr. 28, 2010, eff. Dec. 1, 2010; Apr. 26, 2011, eff. Dec. 1, 2011.

TITLE I. APPLICABILITY

Rule

- Scope: Definitions 1. 2.
- Interpretation.

TITLE II. PRELIMINARY PROCEEDINGS

- The Complaint 3
- Arrest Warrant or Summons on a Complaint.
- Complaint, Warrant, or Summons by Tele-4.1 phone or Other Reliable Electronic Means.
- Initial Appearance. 5.1. Preliminary Hearing.

TITLE III. THE GRAND JURY, THE INDICTMENT, AND THE INFORMATION

6. The Grand Jury.

Rule

- The Indictment and the Information.
- Joinder of Offenses or Defendants.
- 9. Arrest Warrant or Summons on an Indictment or Information.

TITLE IV. ARRAIGNMENT AND PREPARATION FOR TRIAL

- Arraignment. 11.
 - Pleas.
- Pleadings and Pretrial Motions. 12.
- 12.1. Notice of an Alibi Defense.
- 12.2. Notice of an Insanity Defense; Mental Examination.
- Notice of a Public-Authority Defense.
- 12.4. Disclosure Statement.
- 13. Joint Trial of Separate Cases.
- Relief from Prejudicial Joinder. 14.
 - Depositions.
- Discovery and Inspection. 16.
- 17. Subpoena.

19.

Pretrial Conference.

TITLE V. VENUE

- Place of Prosecution and Trial. 18.
 - (Reserved).
- 20. Transfer for Plea and Sentence.
- Transfer for Trial. 21.
- 22. (Transferred).

TITLE VI. TRIAL

- Jury or Nonjury Trial.
- 24.Trial Jurors.
- 25. Judge's Disability. Taking Testimony. 26.
- 26.1. Foreign Law Determination.
- Producing a Witness's Statement. 26.2.
- 26.3. Mistrial.
- 27. Proving an Official Record.
- 28. Interpreters.
- Motion for a Judgment of Acquittal.
- 29.1. Closing Argument. 30
- Jury Instructions.
- 31. Jury Verdict.

TITLE VII. POST-CONVICTION PROCEDURES

- Sentencing and Judgment.
- 32.1. Revoking or Modifying Probation or Supervised Release.
- 32.2. Criminal Forfeiture.
- 33. New Trial.
- 34. Arresting Judgment.
- 35. Correcting or Reducing a Sentence.
- 36. Clerical Error.
- 37. (Reserved).
- 38. Staying a Sentence or a Disability.
- 39. (Reserved).

TITLE VIII. SUPPLEMENTARY AND SPECIAL PROCEEDINGS

- 40. Arrest for Failing to Appear in Another District or for Violating Conditions of Release Set in Another District.
- 41. Search and Seizure.
- 42. Criminal Contempt.